

MEMBER SERVICES

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TOMORROW'S FORECAST

- * The House will reconvene for its 25th Legislative Day on Wednesday, March 1, at 9:00 am.
- * 9 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

TUESDAY, FEBRUARY 28, 2006

LEGISLATIVE DAY# 24

TODAY ON THE FLOOR

Speaker of the House, Rep. Glenn Richardson, gavelled the House into session today, at 10:00 am, for the 24th Legislative Day of the 2nd Session of the 148th General Assembly.

MOTIONS OF RECONSIDERATION

HB1195 Civil case; complaints and judgments; change provisions

- Ensures that a civil action is not considered filed until the civil case form is properly filled out; Requires that judgment not be entered until the civil case form is filed
- Authored by: Rep. Wendell Willard
- House Committee: Judiciary
- ***Motion to Reconsider was adopted, and the bill was placed back on the General Calendar.***

DEBATE CALENDAR

HB0343 Valdosta State University's Peach State Summer Theatre; designate official musical theatre

- This bill designates the Valdosta State University's Peach State Summer Theatre as Georgia's Official Musical Theatre. It removes Jekyll Island Musical Theatre Festival from the code.
- Authored by: Rep. Ron Borders
- Special House Rules Applied: Open
- House Committee: Higher Education
- Yea: 150 Nay: 0

HB0513 Drivers' licenses; certain records; furnish to Georgia Bureau of Investigation

- This bill allows fire departments and law enforcement agencies to get a copy of the driving record and criminal history of a prospective or active employee. Further, it makes it illegal to disclose the information contained therein for any reason other than official business of the department or agency.
- Authored by: Rep. Austin Scott
- House Special Rules Applied: Modified Structured
- House Committee: Motor Vehicles
- Yea: 161 Nay: 0

HB1126 Correctional officers; insurance benefits; provide exemption

- This bill provides the right of continuation of insurance benefits for former state employees. Provisions are made for an exemption from the eight-year service requirement for correctional officers injured by inmate violence when five years or less from becoming eligible for Medicare coverage.
- Authored by: Rep. Terry Barnard
- House Special Rules Applied: Open
- House Committee: State Institutions & Property
- Yea: 163 Nay: 0

HB1217 Disabled persons; parking permits; provide

- This bill adds requirements on disabled persons parking permits by requiring that the person with the disability be the operator of or a passenger in the vehicle when such permit is being used. Further, it allows for the application of the permit via mail when accompanied by an affidavit specifying the disability and signed by a doctor.
- Authored by: Rep. Jack Murphy
- House Special Rules Applied: Open
- House Committee: Motor Vehicles
- Yea: 155 Nay: 0

HB1219 Sales and use tax exemption; certain school supplies; energy efficient products; provide

- This bill provides for a Sales Tax Holiday from August 3, 2006 through August 6, 2006 on school supplies up to \$20; clothing and footwear with a sales price of \$100 or less; personal computers and equipment with a sales price of \$1500 or less, and purchases of energy efficient products with a sales price of \$1500 or less per product for noncommercial or personal use. The bill further expands the list of energy efficient products by including windows and doors.
- Authored by: Rep. Lynn Smith
- House Special Rules Applied: Structured
- House Committee: Ways & Means
- Yea: 162 Nay: 0

HB1272 Sales and use tax exemption; nonprofit volunteer health clinics; provide

- This bill provides for a sales tax exemption on sales of tangible personal property to nonprofit volunteer health clinics.
- Authored by: Rep. Tom Graves
- House Special Rules Applied: Structured
- House Committee: Ways & Means
- Yea: 157 Nay: 0

HB1304 Life insurance; proceeds; provisions

- This bill provides that neither the cash surrender values nor the proceeds of life insurance policies and annuity contracts shall be liable to attachment, garnishment, or legal process in favor of any creditor of the person for whose use or benefit the policy or contract was executed. Further, this bill provides that the proceeds of life insurance policies that are payable to the insured's estate or executor, administrator, or assign shall become a part of the insured's estate to be administered as all other estate assets. In addition, HB 1304 provides for the discharge from liability for any insurer for payments in accordance with such provisions.
- Authored by: Rep. Tom Knox
- House Special Rules Applied: Open
- House Committee: Insurance
- Yea: 157 Nay: 1

HR0084 Valdosta State University's Peach State Summer Theatre; designate official musical theatre

- The resolution would designate the Valdosta State University's Peach State Summer Theatre as Georgia's Official Musical Theatre. The partnership between VSU and Jekyll Island Authority has been dissolved and the program has moved to VSU campus.
- Authored by: Rep. Ron Borders
- House Special Rules Applied: Open
- House Committee: Higher Education
- Yea: 159 Nay: 0

HR1395 Wiley T. Nixon Capitol Post Office; name

- A resolution honoring Wiley T. Nixon and naming the Wiley T. Nixon Capitol Post Office in his honor.
- Authored by: Rep. Barry Loudermilk
- House Special Rules Applied: Open
- House Committee: Special Rules
- Yea: 163 Nay: 0

** The House will reconvene Wednesday, March 1 at 9:00 am for its 25th Legislative Day of the 2nd Regular Session of the 148th General Assembly.*

COMMITTEE ON RULES

The Committee on Rules today has fixed the calendar for the 25th Legislative Day, Wednesday, March 1, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HB0276 Motor vehicles; licensing of ignition interlock device providers

- This bill would allow the Department of Driver's Services to regulate and oversee the ignition interlock device provider centers. Currently, this industry is unregulated though Georgia mandates these devices upon second DUI conviction.
- Authored by: Rep. Tom Rice
- Special House Rules Applied: Modified-Open
- House Committee: Motor Vehicles

HB0920 Employees' health insurance; certain members of local boards of education; provide benefits

- The bill relates to state employees' health insurance plan and authorizes local boards of education to provide health insurance benefits to members leaving office on or after December 31, 2006 if they have served 12 years as a member of the local board. Former members shall pay the entire cost of the health insurance coverage.
- Authored by: Rep. Lynn Smith
- Special House Rules Applied: Open
- House Committee: Education

HB1031 Incest; gender neutrality; provisions

- Makes Code section 16-6-22 gender neutral with respect to incest. Currently incest is defined as father and daughter, mother and son, etc. This bill would define incest as father and child, mother and child, etc. Also adds sodomy as an act of incest – currently incest is only defined as sexual intercourse.
- Authored by: Rep. Ron Dodson
- Special House Rules Applied: Open
- House Committee: Judiciary Non-Civil

HB1112 Speech-language pathologists and audiologists; licensing; change provisions

- This bill changes certain provisions relating to licensing of speech-language pathologists and audiologists requiring audiologists to have a PhD in order to practice.
- Authored by: Rep. Bob Smith
- Special House Rules Applied: Modified-Structured
- House Committee: Governmental Affairs

HB1141 Lobbyists; payment of registration; provide

- This bill removes the exemption that non-profit organizations enjoy from having to pay for lobbyist registration. It also instructs the Legislative Fiscal Office to charge an appropriate amount for registration to cover the administrative costs of registering lobbyists, after consulting the Ethics Commission.
- Authored by: Rep. John Heard
- Special House Rules Applied: Structured
- House Committee: Ethics

HB1209 Dept. of Public Safety; motorcycle enforcement program; provisions for payment

- Would allow monies collected by fines given by motorcycle police within an "urban interstate system" to go to supporting the motorcycle enforcement unit of the Department of Public Safety. Defines "urban interstate system" as that which is entirely within the borders of the state and forms a loop or perimeter; included any portions of interstate highways located within the loop.
- Authored by: Rep. Jill Chambers
- Special House Rules Applied: Open
- House Committee: Judiciary Non-Civil

HB1291 Automobile clubs; regulate

- This bill would allow the state to regulate automobile clubs.
- Authored by: Rep. Richard Smith
- Special House Rules Applied: Open
- House Committee: Insurance

HB1293 Conservation use covenant; breach; provide for additional acts

- This bill allows for a reduced penalty due to a breach of covenant only if the owner elects to discontinue the property in its qualifying use. To be granted this reduced penalty, the owner of such property must have entered into the covenant for the first time after reaching age 67 and has either owned the property for at least 15 years or inherited the property and has kept the property in qualifying use under the covenant for at least 3 years. The penalty for such a breach is the amount by which the current use assessment has reduced taxes otherwise due for the year in which the breach occurred.
- Authored by: Rep. Richard Royal
- Special House Rules Applied: Structured
- House Committee: Ways & Means

HB1390 State Board of Optometry; change certain provisions relating to creation

- A BILL to be entitled an Act to amend Chapter 30 of Title 43 of the Official Code of Georgia Annotated, relating to optometrists, so as to change certain provisions relating to creation of the State Board of Optometry, its composition, and qualifications of its members; to change certain provisions relating to the terms of office of board members; to provide for related matters; to repeal conflicting laws; and for other purposes.
- Authored by: Rep. Earl Ehrhart
- Special House Rules Applied: Open
- House Committee: Rules

** The Rules Committee will next meet on Wednesday, March 1 at 8:00 am to set the Debate Calendar for the 26th Legislative Day.*

COMMITTEE ACTION REPORT

AGRICULTURE

HB1380 Food; adulteration and misbranding; provide certain exemptions

- This bill would exempt certain producers of homemade products from the licensing and inspection requirements of 26-5-25. Those whom the bill would exempt are as follows:
 - (1) Persons not regularly engaged in the business of manufacturing and selling food and who prepares food only on order of and for sale directly to the ultimate consumer;
 - (2) Educational, charitable, or religious organization not regularly engaged in the business of manufacturing, processing, or selling food;
 - (3) Individual who prepares and sells food that is not potentially hazardous food at a community event or farmers' market (except state-run/operated farmers' markets) with gross receipts of \$7500.00 or less in a calendar year from the prepared food items.
 This bill would not provide from a complete exemption from all requirements. Certain requirements must be met by those enumerated above, such as:
 - (A) The seller shall display prominently at the point of sale a clearly legible sign or placard stating, 'These products are homemade and not subject to state inspection,' unless the food items were prepared in a kitchen that is licensed and inspected; and
 - (B) Prepared foods sold under this paragraph shall be labeled to accurately reflect the name and address of the person preparing and selling the foods; or
 Finally, a person who receives less than \$7500.00 in gross receipts in a calendar year from the sale of home-processed and home-canned food products may be exempt from the licensing and inspection requirements if the products are:
 - (i) Pickles, vegetables, or fruits having an equilibrium pH value of 4.6 or lower;
 - (ii) Products such as cakes, fruit pies, breads, rolls, jams, jellies, and honey; or
 - (iii) Home-processed and home-canned in this state;
 AND, the products are sold or offered for sale at a community or social event or a farmers' market (except state-run/operated farmers' markets) in this state;
 AND, the seller displays prominently at the point of sale a clearly legible sign or placard stating, 'These canned goods are homemade and not subject to state inspection,' unless the products were processed and canned in a kitchen that is licensed and inspected; and each container of the product sold or offered for sale under this paragraph is accurately labeled to

provide the name and address of the person who processed and canned the goods and the date on which the goods were processed and canned."

- Authored by: Rep. Tom Graves
- Committee Action: Do Pass by Committee Substitute

EDUCATION

HB1227 Agricultural Education Oversight Commission; create

- This bill provides for the creation of the Agricultural Education Oversight Commission for the purpose of reviewing the conditions, needs, issues, and problems related to the agricultural education program, issuing an annual report on the same to the General Assembly, and recommending any action or legislation which the commission deems necessary or appropriate. In addition, it provides for membership, filling of vacancies, terms, officers, meetings, and reimbursements of members of the commission.
- Authored by: Rep. Terry England
- Committee Action: Do Pass by Committee Substitute

HB1228 Career and Technical Education Oversight Commission; create

- This bill provides for the creation of the Career and Technical Education Oversight Committee for the purpose of reviewing the conditions, needs, issues, and problems related to the agricultural education program, issuing an annual report on the same to the General Assembly, and recommending any action or legislation which the commission deems necessary or appropriate. In addition, it provides for membership, filling of vacancies, terms, officers, meetings, and reimbursements of members of the commission.
- Authored by: Rep. Terry England
- Committee Action: Do Pass by Committee Substitute

HB1358 Quality Basic Education Act; class size requirements; change provisions

- This bill provides for the setting of maximum class sizes in Kindergarten through grade 12 in science, social studies, language arts, and mathematics, as well as other programs. It also establishes maximum system averages and provisions for hardships.
- Authored by: Rep. Brooks Coleman
- Committee Action: Do Pass

HR0410 Joint Study Committee on Reporting Requirements for Local School Systems; create

- The resolution creates the Joint Study Committee on Reporting Requirements for Local School Systems
- Authored by: Rep. Tom Dickson
- Committee Action: Do Pass by Committee Substitute

SB0468 Quality Basic Education Act; establishment of grant program for High Performance Principals; rules/regulations

- This bill provides for the establishment of a grant program for High Performance Principles to attract successful principles to schools in need of improvement. It also provides for one-year salary supplements.
- Authored by: Sen. Dan Moody
- Committee Action: Do Pass

GOVERNMENT AFFAIRS

HB1470 Milton, City of; provide charter

- This bill incorporates the city of Milton in Fulton County, Georgia
- Authored by: Rep. Jan Jones
- Committee Action: Do Pass by Committee Substitute

HIGHER EDUCATION

HB1200 HOPE teacher's scholarship; eligibility requirements; change

- This bill provides for the extending of eligibility requirements for HOPE scholarships and grants to teachers in an advanced degree program in education and an individual with a baccalaureate degree in a critical shortage field who is seeking an advanced degree in education.
- Authored by: Rep. Tom Dickson
- Committee Action: Do Pass

HR1287 Joint Public Libraries Study Committee; create

- This bill provides for the creation of the Joint Public Libraries Study Committee which shall undertake a study of the needs, issues, and problems related to the state library system and recommend any action or legislation that the committee deems necessary or appropriate.
- Authored by: Rep. Chuck Sims
- Committee Action: Do Pass

HR1303 HOPE Scholarship; qualified students; Board of Regents; urge

- This resolution urges the Board of Regents of the University System of Georgia and the Georgia Student Finance Commission to ensure that each student that receives HOPE funding is entitled to and eligible for such funding.
- Authored by: Rep. Paul Jennings
- Committee Action: Do Pass

SB0436 Technical/Adult Education, State Board of; meetings; change provisions

- This bill provides for certain changes in the provisions relating to the meetings of the State Board of Technical and Adult Education and further provides for an effective date.
- Authored by: Sen. Johnny Grant
- Committee Action: Do Pass

INTRAGOVERNMENTAL COORDINATION**SR0760 Dr. Eddie Marlow Medical Clinic; dedicate**

- Bill honors the memory of Dr. Eddie Marlow and designated the Dalton Regional Youth Detention Medical Center as the Dr. Eddie Marlow Medical
- Authored by: Sen. Don Thomas
- Committee Action: Do Pass

JUDICIARY-CIVIL**HB1313 Eminent domain; comprehensive revision of provisions; provide**

- This bill provides that the exercise of the power of eminent domain for redevelopment purposes must be by vote of an elected governing body of a county or municipality, not an unelected authority. House Authorities and Downtown Development authorities may not directly condemn property. HB 1313 would not allow property to be condemned for redevelopment purposes except to eliminate blight as that term is defined by general law, and it provides that before any condemnation for redevelopment can occur, a court must decide that each parcel of property sought to be condemned as "blighted property" is actually blighted.

The bill defines "blight," "economic development," and "public use."

HB 1313 provides for additional notice requirements before a resolution to condemn property is passed, and allows only the condemnee to obtain attorneys' fees and only in cases where the government ultimately cannot condemn the property.

The bill allows condemnees to obtain relocation damages and imposes good faith obligations on the condemnor.

HB 1313 permits counties and municipalities to have standing in quiet title actions and permits condemnations where the government has unanimous consent of all known persons with an interest in the property.

- Authored by: Rep. Rich Golick
- Committee Action: Do Pass by Committee Substitute

HB1399 Magistrate's salary; waiver; provide

- Allows magistrate judges to waive their right to a minimum monthly salary
- Authored by: Rep. David Ralston
- Committee Action: Do Pass

HR1306 Condemnation of property; redevelopment purposes; approved by vote; require - CA

- Resolution requires that condemnation that occurs for redevelopment purposes must first be approved by a vote of an elected governing authority. Further provides that the use of eminent domain for the purpose of redevelopment can only be used for blighted property.
- Authored by: Rep. Rich Golick
- Committee Action: Do Pass by Committee Substitute

MOTOR VEHICLES

HB0654 All-terrain vehicles; additional definitions; provisions

- This bill provides for additional definitions relative to all-terrain vehicles. It creates a two classes of ATVs based on dry weight.
- Authored by: Rep. Bobby Reese
- Committee Action: Do Pass

HB0710 Special license plates; identifying persons with diabetes

- This bill creates special license plates such as those identifying persons with diabetes, which do not designate funds.
- Authored by: Rep. Charles Jenkins
- Committee Action: Do Pass by Committee Substitute

HB0995 License plates; disabled veterans; change certain provisions

- HB 995 amends Code Section 40-2-69 and no longer requires the applications of certain disabled veterans for free license plates, special license plates, and revalidation decals to be notarized. HB 995 also no longer requires applications of disabled persons for parking permits to be notarized. This bill will require a certificate, instead of an affidavit, to issue permanent permits to permanently disabled persons.
- Authored by: Rep. Gerald Greene
- Committee Action: Do Pass

HB1006 Prestige license plates; Breast Cancer; distribution of renewal fees

- HB 1006 emphasizes that the renewal registration fees for prestige license plates supporting breast cancer programs be distributed in the same manner as the initial fees.
- Authored by: Rep. Kathy Ashe
- Committee Action: Do Pass by Committee Substitute

HB1053 Prestige license plates; "In God We Trust"; provisions

- This bill incorporates all specialty license plate bills which designate funds to any organization other than the general fund. An example being, a special license plate promoting the national logo "In God We Trust". A portion of the proceeds from the plate would go to the Boy Scouts of America.
- Authored by: Rep. James Mills
- Committee Action: Do Pass by Committee Substitute

HB1075 Bond; used motor vehicle dealers; increase amount

- HB 1075 increases the amount of the bond used for car dealers from \$20,000.00 to \$50,000.00.
- Authored by: Rep. Bobby Parham
- Committee Action: Do Pass by Committee Substitute

HB1171 Driver's license; surrender; provide specific date

- This bill requires courts to submit to the Department of Driver's Services all convictions resulting in a suspended or revoked driver's license; to do so by electronic means and within 10 days of said conviction.
- Authored by: Rep. Burke Day
- Committee Action: Do Pass by Committee Substitute

HB1216 All-terrain vehicles; law enforcement agencies; allow use

- This bill would provide allow law enforcement officer to operate All-Terrain Vehicles on public roads.
- Authored by: Rep. Allen Freeman
- Committee Action: Do Pass

HR1564

- HR 1564 is the companion resolution to HB 1053 and creates the Constitutional Amendment Ballot Question for the designation of proceeds arising from the purchase of certain prestige license plates.
- Authored by: Rep. Matt Dollar
- Committee Action: Do Pass

SPECIAL RULES

HB1443 Red clay; Georgia's official dirt; designate

- Designating Georgia red clay as Georgia's official soil. The word "soil" replaces the word "dirt" in every instance except after the words "struggling Georgia dirt farmers growing".
- Authored by: Rep. Bobby Franklin
- Committee Action: Do Pass by Committee Substitute

WAYS & MEANS

HB0841 Sales tax exemption; qualified job training organizations

- This bill provides for a sales tax exemption on sales of tangible personal property and services to a qualified job training organization if such organization obtains an exemption letter from the DOR commissioner. In order to receive this exemption the qualified job training organization must be located within the state, have 501(c)(3) status, specialize in the retail sale of donated items, provide job training and employment services to individuals with workplace disadvantages and disabilities, use a majority of its revenue for job training and placement programs and provide other critical community services. This exemption will sunset July 1, 2008.
- Authored by: Rep. Ron Stevens
- Committee Action: Do pass by Committee Substitute

HB1305 Seed - Capital Fund; investments; provisions

- This bill expands the definition of "investment entity" to include any entity as to which the state is the sole limited liability owner. By expanding the definition, the state as a sole limited liability owner will be able to invest Seed-Capital moneys by and through investment entities as to which the state is a sole limited liability owner.
- Authored by: Rep. Amos Amerson
- Committee Action: Do Pass

HB1336 County taxation; payment; provisions

- This bill repeals the provision which required that if you had property that extended into more than one county, that the taxes would be collected in the country where the majority of the land was located. By repealing this statute, each county must collect the tax for the portion of the land that is in their county.
- Authored by: Rep. Dan Lakly
- Committee Action: Do Pass

HR0162 Ad valorem tax; limitations upon rate of increase in value - CA

- This resolution caps the rate of increase in the value of homestead property for ad valorem taxation for state, county, municipal, or educational purposes to the lesser of 3% or the percent change in the rate of economic inflation on individual taxpayers as determined by the DOR commissioner. The commissioner may use the Consumer Price Index or any other appropriate economic indicator materials that he deems appropriate. The cap does not apply to the first year in which such real property is taxable to a new owner after a transfer of ownership; new construction, additions or improvements to real property; and real property subject to Article VII, Section 1, Paragraph III (e) of this Constitution.
- Authored by: Rep. Ed Lindsey
- Committee Action: Do Pass by Committee Substitute

HR1464 House Comprehensive Tax Reform Study Committee; create

- This resolution creates the House Comprehensive Tax Reform Study Committee. This committee is comprised of 7 members of the House who will be appointed by the Speaker. All meetings of the committee shall be at the discretion of the Speaker.
- Authored by: Rep. Larry O'Neal
- Committee Action: Do Pass

** Committee action reports are edited for this report. For full content, please contact the House Committee*

COMMITTEE BROADCAST SCHEDULE

WEDNESDAY, MARCH 1, 2006

| | |
|---------------------|---|
| 9:00 am 341 CAP | Committee on Rules |
| 9:00 am 406 CLOB | Appropriations—General |
| 2:00 pm 606 CLOB | Children & Youth |
| 2:00 pm 506 CLOB | Governmental Affairs |
| 2:00 pm 132 CAP | Judiciary Non-Civil |
| 3:00 pm 515 CLOB | State Planning & Community Affairs |
| 3:00 pm 406 CLOB | Transportation |
| 3:30 pm 506 CLOB | Appropriations-Economic Development |
| 3:30 pm 606 CLOB | Public Safety |
| 3:30 pm 515 CLOB | Regulated Industries |
| 4:00 pm 406 CLOB | Public Utilities & Telecommunications |
| 4:30 pm 606 CLOB | Insurance |
| 4:30 pm 506 CLOB | Special Committee on Civil Justice Reform |

** To view the committee broadcast, please the Georgia Legislative Network's link at www.legis.ga.gov*

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